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8 **IN THE UNITED STATES DISTRICT COURT**  
9 **FOR THE CENTRAL DISTRICT OF CALIFORNIA**

10 LESLEY ZHU,  
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12 Movant,  
13 v.  
14 RETROPHIN, INC., et al.,  
15 Respondents.  
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Case No.: 2:19-mc-00137-JAK (AGR)

**ORDER RE STIPULATION OF  
PARTIES TO TRANSFER  
MOVANT'S MOTION TO QUASH  
THE SUBPOENA AND  
RESPONDENT'S CROSS-MOTION  
FOR AN ORDER TO SHOW CAUSE  
TO UNITED STATES DISTRICT  
COURT FOR THE EASTERN  
DISTRICT OF PENNSYLVANIA  
JUDGE J. CURTIS JOYNER (DKT.  
15)**

**JS-6: Transfer**

20 The Stipulation of the Parties To Transfer Movant's Motion To Quash The  
21 Subpoena and Respondent's Cross-Motion For An Order To Show Cause To United  
22 States District Court for the Eastern District of Pennsylvania, and to District Judge J.  
23 Curtis Joyner, (Dkt. 15), is **APPROVED** for good cause shown. It is hereby Ordered  
24 that:

25 Movant Lesley Zhu ("Movant") and Respondent Retrophin, Inc.  
26 ("Respondent"), by and through their respective attorneys of record, hereby stipulate  
27 that (1) Movant's Motion to Quash the Subpoena *Ad Testificandum* and (2)  
28 Respondent's Cross-Motion for an Order to Show Cause Why Lesley Zhu Should

1 Not Be Held in Contempt, be transferred to Judge J. Curtis Joyner of the United  
2 States District Court for the Eastern District of Pennsylvania, Case No. 2:18-cv-  
3 04553 (the “Underlying Litigation”).

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5 1. On June 27, 2019, Movant filed a Motion to Quash the Subpoena *Ad*  
6 *Testificandum* and Motion to Transfer pursuant to Fed. R. Civ. P. 45(f) to transfer this  
7 motion to the United States District Court for the Eastern District of Pennsylvania  
8 where the Underlying Litigation was filed and is pending.

9 2. On July 2, 2019, Respondent Retrophin filed its Opposition to the Motion  
10 to Quash and filed a Cross-Motion for An Order to Show Cause Why Lesley Zhu  
11 Should Not Be Held in Contempt.

12 3. The Motion to Quash was given a hearing date of November 18, 2019.  
13 Retrophin’s Cross Motion was given an earlier hearing date of August 5, 2019. This  
14 Court has referred both matters to Magistrate Judge Alicia G. Rosenberg for a report  
15 and recommendation.

16 4. The parties agree that the two motions are related and should be heard  
17 together, and both motions relate to the Underlying Litigation.

18 5. The Underlying Litigation was filed on October 23, 2018 in the United  
19 States District Court for the Eastern District of Pennsylvania and assigned to District  
20 Judge J. Curtis Joyner. In that litigation, which Plaintiff Spring Pharmaceuticals, LLC  
21 filed against Defendants Martin Shkreli, Retrophin, Inc., Mission Pharmacal  
22 Company, and Alamo Pharma Services, Inc., Plaintiff alleges, among other claims,  
23 that Defendants violated the Sherman Act, state antitrust laws, and unfair competition  
24 laws.

25 6. Judge Joyner has already issued orders in the Underlying Litigation  
26 related to the scope of discovery in that matter.

27 7. For efficiency, convenience, and consistency, the parties therefore  
28 stipulate that Lesley Zhu’s Motion to Quash the Subpoena and Retrophin’s Cross-

1 Motion for an Order to Show Cause be transferred to Judge Joyner in the Underlying  
2 Litigation Pursuant to Federal Rule of Civil Procedure 45(f).

3 8. The Parties also stipulate that this Court, the Central District of  
4 California, shall retain jurisdiction pursuant to Federal Rule of Civil Procedure  
5 45(f)-(g) to address any enforcement issues that may subsequently arise from the two  
6 motions and these proceedings.

7 IT IS SO ORDERED.

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9 Dated: July 12, 2019



10 JOHN A. KRONSTADT  
11 UNITED STATES DISTRICT JUDGE

12 cc: Magistrate Judge Alicia G. Rosenberg  
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